

## **MANSFIELD TOWNSHIP COMMITTEE MEETING**

**June 10, 2020**

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star Gazette and Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

This meeting was held on the Zoom platform. The Township Committee and the public were able to remotely hear the meeting audio.

Roll Call: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Salute to the flag was done by all.

### **APPROVAL OF THE MINUTES**

Mrs. Mora Dillon made a motion to approve the May 27, 2020 Regular Session Minutes, which was seconded by Mr. McGuinness.

Mr. Farino stated the Tree Report on page 18 needed to be amended to 77 trees contracted and seven (7) trees removed for free for a total of 84 trees.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

No Executive Session was held on May 27, 2020.

### **BILL LIST**

Mrs. Mora Dillon made a motion to approve the June 10, 2020 Bill List, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: Mr. Farino

### **CLERK'S REPORT**

HVAC System – A notice was received from Stryker Heating, Cooling & Plumbing who looked at the HVAC system a couple of times and would like to come do a system

survey with two (2) men at a cost of \$1,600.00. If the Committee is interested, a resolution can be placed on the agenda for the next meeting. The Committee asked for Mrs. Mollineaux's input who stated there is money put aside for the project. Mr. Farino made a motion to move forward on the project, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters  
Nays: None  
Absent: None  
Abstain: None

Outdoor Dining — Resolution on tonight's agenda. As of now, we have two restaurants asking if it's allowed. They have filed an extension permit for their liquor licenses. If the resolution is approved, Ms. Hrebenak would like to proceed with getting their liquor license extension approved which would be temporary until November. Mayor Watters asked if there was a letter stating the County would pay \$75.00; Ms. Hrebenak stated the County would be reimbursing any of our licensees who would have to pay for the extension of \$75.00. Ms. Hrebenak stated she could confirm it, send a voucher to the County, and the County will reimburse us and then we will reimburse the applicants. Mayor Watters asked if the applicants are aware of all the standards that have to be met. Ms. Hrebenak confirmed they are.

## **FINANCE REPORT**

Mrs. Mollineaux thanked everyone for passing the budget. Everything is filed with the State, so we're all set for this year. tonight's agenda has a Chapter 159 Resolution for a grant that appropriates that money and will be added to both sides of the budget. It's another grant available to us.

## **EMPLOYEES' REPORTS**

Clerk's Window – Mrs. Fascenelli reported the sliding window will be replaced with a full-glass insert. Installation will be tomorrow afternoon.

Electronic Waste, Scrap Metal, Large Rigid Plastics and Mercury Switch Thermostats Event – Mrs. Fascenelli would like to schedule it for Saturday, November 7, 2020, 8:30 – 12:30, if the Committee is in agreement with that date.

Mr. Hayes made a motion to authorize the event date, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters  
Nays: None  
Absent: None  
Abstain: None

## **ENGINEER'S REPORT**

In Mr. Kastrud's absence, Ms. Hrebenak stated that everyone received a copy of Mr. Kastrud's report in Thursday's packet. Mr. Hayes commented that #6 on the report is a request for our agreement to submit application for additional funding for Janes Chapel Road.

Mr. Hayes made a motion to approve submitting the application, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mayor Watters asked for Mr. Kastrud to be notified of this approval for the Janes Chapel Grant application. Ms. Hrebenak will contact him.

## **MT. BETHEL CHURCH DISCUSSION**

Architect Michael Margulies, and the Committee discussed different County and State grant options for the church.

## **PUBLIC PORTION**

Mayor Watters opened the public portion of the meeting; seeing no comment from the public, public portion was closed.

## **RESOLUTIONS**

**TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY  
RESOLUTION # 2020-101  
TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A.  
40A:4-87, CHAPTER 159**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount,

## **SECTION 1,**

**NOW, THEREFORE BE IT RESOLVED** that the Township of Mansfield, County of Warren, hereby requests the Director of the Division of Local Government Services to approve the increase of \$ 1,759.02 for an item of revenue in the budget of the year 2020 as follows:

Miscellaneous Revenues –  
Revenue Offset with Appropriations – Body Armor Grant  
Total with increase to be \$ 1,759.02

**SECTION 2,**

**BE IT FURTHER RESOLVED** that a like sum of \$ 1,759.02 be and the same is hereby appropriated under the caption of:

General Appropriations –  
Public & Private Programs Offset by Revenues – Body Armor Grant  
State Share \$ 1,759.02  
Non State Share \$  
Total with increase to be \$ 1,759.02

**FURTHER RESOLVED** that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.  
Adopted: June 10, 2020

Mr. Hayes made a motion to approve Resolution 2020-101, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters  
Nays: None  
Absent: None  
Abstain: None

**RESOLUTION 2020-102**  
**A RESOLUTION TO ADOPT PERSONNEL POLICIES AND PROCEDURES**

**WHEREAS**, it is the policy of Township of Mansfield to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA), Paid Sick Leave Law (2018) and the Open Public Meeting Act; and

**WHEREAS**, the Township Committee has determined that there is a need for amendments to the personnel policies and procedures to ensure that employees and

prospective employees are treated in a manner consistent with these laws and regulations.

**NOW, THEREBY, BE IT RESOLVED** by the Township Committee that the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

**BE IT FURTHER RESOLVED** that these personnel policies and procedures shall apply to all municipal officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

**BE IT FURTHER RESOLVED** that this manual is intended to provide guidelines covering public service by municipal employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee.

**BE IT FURTHER RESOLVED** that to the maximum extent permitted by law, employment practices for the township shall operate under the legal doctrine known as "employment at will."

**BE IT FURTHER RESOLVED** that the Township Committee and all managerial/supervisory personnel are responsible for these employment practices. The Township Committee and the Township Attorney shall assist in the implementation of the policies and procedures in this manual.

Mrs. Mora Dillon made a motion to approve Resolution 2020-102, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters  
Nays: None  
Absent: None  
Abstain: None

#### RESOLUTION NO. 2020-103

#### **Authorizing Township Amendments to Outdoor Dining Permits**

**WHEREAS**, Governor Murphy has issued Executive Order No. 150 permitting the resumption of outdoor dining and beverage sales and consumption with restrictions imposed by the New Jersey Department of Health; and,

**WHEREAS**, according to Executive Order No. 150, effective at 6:00 a.m. on Monday, June 15, 2020, restaurants, cafeterias, dining establishments, and food courts, with or without a liquor license, bars, and all other holders of a liquor license with retail

consumption privileges, collectively referred to as “food or beverage establishments,” are permitted to offer in-person service at outdoor areas; and,

**WHEREAS**, the Township Committee desires to assist restaurant businesses during the COVID-19 pandemic and emergency by establishing an expedited process for the possible temporary expansion of the space available for outdoor dining in compliance with Executive Order No. 150 and the New Jersey Department of Health.

**NOW, THEREFORE, BE IT RESOLVED** that, in light of the fact that Executive Order No. 150, and Department of Health Executive Directive 20-014 have specifically allowed outdoor dining to resume with the restrictions contained therein, the Township Committee of the Township of Mansfield, hereby temporarily waives the regular procedures for land use permits for outdoor dining expansion by permitting businesses to submit an expedited Outdoor Dining Permit application and plan for the balance of the year 2020, including the potential expansion of such dining onto sidewalks and parking lots, to the Zoning official for review; and,

**BE IT FURTHER RESOLVED**, the Municipal Clerk and Zoning Official, in consultation with the Fire Prevention Official, Subcode Official, local Police Department and the Warren County Board of Health and any other official that is deemed necessary, shall review such application and plan on an expedited basis, and shall work with such business to reach accommodations to assist such businesses with obtaining an Outdoor Dining Permit from the Township, keeping in mind that the safety and health of the public shall be of the utmost importance; and,

**BE IT FURTHER RESOLVED**, that once the Zoning Official, in consultation with the other aforementioned township officials, is satisfied that the business has demonstrated that their outdoor seating plan is safe for customers, staff and the general public, the Zoning official shall issue such Outdoor dining permit; and,

**BE IT FURTHER RESOLVED**, that businesses that are granted an Outdoor Dining Permit shall submit an update to the Zoning Officer after 30 days of approval for the initial permit; and

**BE IT FURTHER RESOLVED**, all Outdoor Dining permits that are issued through this resolution shall expire on November 30, 2020 and if there is a desire to continue with this plan of Outdoor Seating the applicant will make application to the Land Use Board for a site plan review.

**BE IT FURTHER RESOLVED**, that the fees associated with such Outdoor Dining Permit shall be waived for the year 2020 to assist such businesses during the COVID-19 pandemic.

Mr. Hayes made a motion to approve Resolution 2020-103, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters  
Nays: None  
Absent: None  
Abstain: None

## **ORDINANCES**

### **First Reading**

#### **ORDINANCE 2020 - 09**

**AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD,  
COUNTY OF WARREN, STATE OF NEW JERSEY,  
AUTHORIZING THE ACCEPTANCE OF A DONATION OF  
LANDS LOCATED AT BLOCK 2613, LOT 1.02 AND  
BLOCK 2614, LOT 9, PURSUANT TO N.J.S.A. 40A:12-5**

**WHEREAS**, Ronald S. Milkowski holds title to certain property located in Mansfield Township known as Block 2613, Lot 1.02 and Block 2614, Lot 9; and

**WHEREAS**, there are outstanding taxes due on both Lots; and

**WHEREAS**, Ronald S. Milkowski has offered to donate said property to the Township of Mansfield; and

**WHEREAS**, a contract for the conveyance of the property will be prepared for execution by Mr. Milkowski and the Township; and

**WHEREAS**, the Township desires to accept the property in lieu of the cost of pursuing a tax foreclosure.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey that the Township is hereby authorized to accept title to the aforementioned property, subject to all contract contingencies being satisfied, including without limitation review and acceptance of the title binder.

**BE IT FURTHER ORDAINED**, that the Mayor and Township Clerk of the Township of Mansfield are hereby authorized to execute all necessary documents, including the Contract of Sale in order to obtain title to said property.

#### **Section 2 - Severability**

The various parts, sections and clauses of this Ordinance are hereby declared to

be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

### **Section 3 - Repealer**

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

### **Section 4 - Effective Date**

This Ordinance shall take effect as required by law.

Mrs. Mora Dillon made a motion to approve the first reading of Ordinance 2020-09 with a second reading on July 8, 2020, at 7:30 pm, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

### **Second Reading**

### **ORDINANCE # 2020-07**

### **AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE STIPEND FOR AN EMPLOYEE OF THE TOWNSHIP OF MANSFIELD AND THE METHOD OF PAYMENT OF SUCH STIPEND**

**BE IT ORDAINED**, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

**SECTION 1**, The stipend per annum of rate of compensation for the following position of the Township of Mansfield is determined to be as follows. The intent of the stipend is to pay for the classes required for the Assistant Supervisor to obtain his or her Certified Public Works Manager certification.

	<b>RANGE</b>
Assistant Department of Public Works Supervisor	\$ 250.00 - \$ 2,000.00 annum

Mr. Hayes made a motion to approve Ordinance 2020-07, which was seconded by Mr. Farino.

Mayor Watters opened the public portion of the meeting; seeing no comment from the public, public portion was closed.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None  
Absent: None  
Abstain: None

### **EXECUTIVE SESSION**

Mayor Watters announced moving into Executive Session at 7:48 pm.

Mr. Lavery stated the Executive Session discussion will include a personnel matter and a contractual matter.

Mrs. Mora Dillon made a motion to go into Executive Session, which was seconded by Mr. Farino.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters  
Nays: None  
Absent: None  
Abstain: None

### **RETURN FROM EXECUTIVE SESSION**

Return from Executive Session at 8:44 pm.

Mrs. Mora Dillon made a motion to enter into Regular Session, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters  
Nays: None  
Absent: None  
Abstain: None

Mr. Lavery announced the return from Executive Session at 8:44 pm where they discussed three matters:

- Contractual matter dealing with a Planning Contract for COAH Purposes
- Personnel matter dealing with office hours
- Cleaning contract

No official action was taken. Copies of these minutes will be available at such time the Committee determines there is no longer a harm to the public interest.

Mr. Lavery stated the need for a motion to award a Planning Contract for COAH Purposes to Maser Consulting in an amount not to exceed \$4,500.00.

Mr. Hayes made a motion to award the contract, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters  
Nays: None  
Absent: None  
Abstain: None

Mr. Lavery stated the need for a motion to authorize the Clerk to work three (3) days a week at home and two (2) days a week in the office once we are able to go back.

Mrs. Mora Dillon made a motion to approve the Clerk's working days, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters  
Nays: None  
Absent: None  
Abstain: None

### **COMMITTEE REPORTS**

Randy Wanous – Mr. Hayes stated that Mr. Wanous passed away. He was the former Chief at Tri-County Fire Department and the Head Custodian at Mansfield Elementary School. Mrs. Mora Dillon asked Ms. Hrebenak to send something to the family.

Part-time DPW Worker – Mr. Farino requested approval to advertise for the part-time DPW worker position which is included in the budget.

Mr. Farino made a motion to approve, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters  
Nays: None  
Absent: None  
Abstain: None

Tree Company Parking – Mr. Farino also stated that the tree company requested permission to park. As soon as the Committee approves the parking, Ms. Hrebenak will get the company's Certificate of Insurance and all their information.

Mr. Farino made a motion to approve, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters  
Nays: None  
Absent: None  
Abstain: None

Hand Sanitizer – Mr. McGuinness stated the fire department has 60 gallons of hand sanitizer donated from Lowe's. He has already given eight (8) gallons to the Police

Department and six (6) gallons to Mt. Bethel. If any Township departments are in need, please let him know. Ms. Hrebenak asked for some to be brought to the Municipal Building. Mr. McGuinness will stop in the DPW to see if they need any. Mrs. Mora Dillon asked if they can get Clorox wipes too. Mr. Hayes stated the police had gotten some from Wal-Mart that they may be able to share.

Mrs. Mora Dillon made a motion to adjourn which was seconded by Mr. Hayes.